Ethics in the News

COMMERCE GETS A NEW SECRETARY

tion process includes an ethics review—what does that entail?

When a nominee is identified the individual sends a draft financial disclosure report to the agency's ethics office, the Office Government Ethics independent (OGE)—an agency in the Executive Branch-and the Office of the Counsel to the President (or the Presidential Transition Team). Ethics officials in these offices look at every position and finan-

bur L. Ross, Jr. was sworn in each employment and financial agreement" that the nominee as the 39th Secretary of Com- interest. If a position or interest signs; this is sent to the Senate merce. As some news reports presents a problem, the nomi-committee have indicated, the confirma- nee must resign the position or nomination, along with letters



interest to determine divest the asset. (In fact, usu- sometimes grueling and diffiwhether retaining the position ally Presidential appointees are or financial interest will inter- required to resign from all outfere with the nominee's ability side positions, even if they do to perform the duties of the not present a potential conflict officials who will also need to position because of the dis- of interest.) Actions to be taken navigate this road.

On February 27, 2017, Wil- qualification that is required by are then included in an "ethics considering

from the most senior agency ethics official and the Director of OGE advising that the nominee will be able to perform the duties of the position consistent with ethics requirements in light of the actions the nominee has agreed to take. If the Senate agrees (and finds no other problems), the individual is confirmed by the Senate.

Mr. Ross is the first Commerce appointee in the Trump Administration to successfully go through this

cult process. Commerce employees are now waiting for him to be joined by other senior

MARCH REMINDERS

- FEB. 15 was the deadline to file a Form 450 Confidential Financial Disclosure Report; if you have not filed your report, please do so immediately!
- New employees have **3 months** to complete ethics training
- Form 278 Filers must file transaction reports within 30 DAYS of the sale or purchase of securities
- written notice within 3 DAYS of beginning non-Federal employment negotiations

Critic's Corner: Ethics and **Oscar®**

Which of the following films nominated for a best picture Academy Award® features an example of a Federal ethics law violation?

- A. Arrival
- B. Fences
- C. Hidden Figures
- D. La La Land
- E. Manchester by the Sea
- F. Moonlight

(for the answer, see p. 2)

Ethics Spotlight: are stricter for political appoin-**BRIBES VS. GIFTS**

Everyone knows not tied to a specific action. (preferably after advice from 130 days per year. Although gifts to Commerce an ethics official).

Interestingly, the gift rules tees than for career employees-political appointees cannot accept gifts from lobbyists that employees generally cannot in most cases. To add to the bribes are illegal, but what be accepted from anyone with confusion, salary supplemenabout gifts? What's the differ- matters before Commerce tations, like bribes, are also ence? A bribe is a payment (which includes almost every- illegal-when someone outoffered to, or accepted by, a one), some exceptions apply, side the Government offers to government official to take a such as for gifts of \$20 or less pay an employee's salary or specific action (can you get or gifts from a friend or relative add to it (you aren't making me that contract?) or fail to or a public service award (in enough working for the Feds, take an action (gee, officer, do some cases). Invitations to let me add a little extra). Bevou have to write that ticket?), receptions/dinners are a type lieve it or not, such offers have Bribes are always illegal. Then of gift and they can be accept- been made to Commerce emwhy can Federal employees ed if approved by a supervisor ployees—they are illegal for accept gifts? A gift is a gratuity as beneficial to Commerce anyone working more than

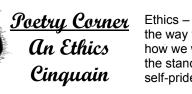
Ask Ethicina

Dear Ethicina.

My boss is getting married this summer and I was invited. I know about the ethics rule limiting gifts to supervisors but I feel funny sending a \$10 wedding present. What can I do to comply with both ethics rules and etiquette rules?

Sincerely, About-to-Be-Embarrassed

No worries, Pumpkin, ethics rules actually let you give gifts "appropriate to the occasion" for major life events, such as a wedding. Therefore, you may send a present greater than \$10. And, by the way, etiquette rules do not require the sending of a wedding present, it is just a charming custom (although admittedly a custom all wedding guests are expected to follow). - E



the way we live how we were taught to act the standard we set for ourselves self-pride!

OFFICE OF THE MONTH:

ETHICS LAW AND PROGRAMS DIVISION

few Government depart- are mandated by regulation: ments that has centralized the Ethics Training Program its ethics operations, which and Financial Disclosure means that no matter where Report Program. Part of you work within Commerce, ADTRAX (see last month's when you have an ethics Ethics Compass), Ethics issue you should contact attorneys the Ethics Law and Pro- specialists grams Division in Com- particularly busy during the merce's Office of the Gen- past eral Counsel. The Ethics working office is also unique among issues—providing guidance Commerce legal offices in to political appointees who that it is not only responsi- left the Government at the ble for providing advice to end of President Obama's emplovees about within its area of expertise, employees who will serve but it also is a program of- as part of fice—operating two Depart- Trump's Administration.

Commerce is one of the ment-wide programs that and have been several months Transition laws term and assisting new President

Ethics and Oscar® Answer [Warning: SPOILER ALERT!]

The answer is A. Arrival features an ethics violation—rogue Federal soldiers use Government equipment and nonpublic information to take matters in their own hands when they disagree with U.S. policies. The institutional racism (and sexism) depicted in a Federal agency in Hidden Figures would eventually be ruled as unconstitutional but was not illegal at the time. Federal employees do not have a role in the other movies.

Ethics questions?

Contact the Ethics Attorney of the Day: EthicsDivision@doc.gov or 202-482-5384



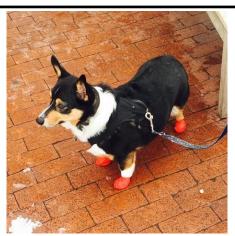
Poe the Corgi loves going on hikes, but not during duty hours.

Pets of the Month

UNETHICAL ANIMALS 🦫 🟡

This unethical animal lives with Christine Hammer, Attorney Advisor in the Ethics Law & Programs Division.

> We want to see your pets! Please submit photos of your pet's adorably bad behavior by emailing us here.



Poe is hoping for a snow day so he can wear his booties.